

ORDINANCE NO. *Space size, standard and compact***AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO REDUCE THE SIZE OF AN OFF-STREET PARKING SPACE AND TO ALLOW A REDUCTION OF SIZE FOR COMPACT CARS UNDER CERTAIN CIRCUMSTANCES**

WHEREAS, pursuant to the provisions of Title 9, Chapter 68 and 69, Delaware Code, the Sussex County government has the power and the authority to regulate the use of land; and

WHEREAS, pursuant to Chapter 115 of the Code of Sussex County, as amended, the Sussex County government has undertaken to regulate the use of land; and

WHEREAS, it has been determined in order to promote and protect the health, safety, convenience, orderly growth and welfare of the inhabitants of Sussex County, and to assist in the proper development of land;

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The Code of Sussex County, Chapter 115, Article I, Section 115-4B PARKING SPACE, OFF-STREET is hereby amended as follows.

PARKING SPACE, OFF-STREET — An all-weather surfaced area not in a street or alley and having an area of not less than ten by twenty (10 x 20) feet for vertical, [or] *nine by eighteen (9x18) for diagonal parking* and ten by twenty-two (10 x 22) feet for parallel parking, exclusive of driveways, permanently reserved for the temporary storage of one vehicle and connected with a street or alley by a paved driveway which affords ingress and egress for an automobile without requiring another automobile to be moved. An all-weather surfaced area will be a minimum of two courses of bituminous surface treatment. *The dimensions for vertical or diagonal off-street parking spaces may be reduced to permit spaces for compact cars in accordance with Section 115-166A.*

Section 2. The Code of Sussex County, Chapter 115, Article XXII, Section 115-166 Design Standards is hereby amended as follows:

[A. Minimum area. For the purpose of these regulations, an "off-street parking space" is an all-weather surfaced area not in a street or alley and having an area of not less than ten by twenty (10 x 20) feet for vertical or diagonal parking and ten by twenty-two (10 x 22) feet for parallel parking, exclusive of driveways, permanently reserved for the temporary storage of one vehicle and connected with a street or alley by a paved driveway which affords ingress and egress for an automobile without requiring another automobile to be moved. Off-street parking areas that make it necessary for vehicles to back out directly into a public road are prohibited, except for dwelling units each having an individual driveway. An all-weather surfaced area will be a minimum of two courses of bituminous surface treatment]

A. Minimum area.

- (1) Except for compact car parking, Off-Street Parking Spaces shall have an area of not less than 162 square feet.*
- (2) A maximum of 20 percent of the required Off-Street Parking Spaces may have an area of eight by seventeen (8x17) feet for compact cars provided that*
 - a. The space is in a commercial parking lot with over 50 required spaces*
 - b. The area is clearly identified by signage or other marking*
 - c. No more than four (4) of the spaces for compact cars are placed side-by-side or eight (8) head-to-head.*
- (3) Off-street parking areas that make it necessary for vehicles to back out directly into a public road are prohibited, except for dwelling units each having an individual driveway.*
- (4) Any authorized area savings from either a reduction below 162 square feet per lot or from the required total number of spaces for the development shall be used for open space, landscaping or pedestrian walkways.*

Synopsis: Section 1 of the amendment changes the size of required off street parking spaces as defined in Section 115-4B of the ordinance from 10 x 20 to 9 x 18. Section 2 makes several changes. Most of the deleted language repeats the text from the definition of Off-Street Parking Space. The new “115-166 A(1)” converts the dimension requirement to square feet per the direction of County Council. The new “115-166 A(2)” permits a reduction to 8 x 17 for compact cars under certain circumstances. The new “115-166 A(3)” retains language from the existing paragraph. The new “115-166 A(4)” requires that any space savings from allowed reductions from the standard be converted to public space, also per the direction of County Council.